

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>CECIL WAMPLER,</b>	)	
	)	
	)	
<b>Petitioner,</b>	)	
	)	
	)	
<b>v.</b>	)	<b>Case No. 1:23-cv-357</b>
	)	
	)	
<b>WARDEN BARTLETT,</b>	)	
	)	
	)	
<b>Respondent.</b>	)	

**MEMORANDUM ORDER**

On December 18, 2023, Petitioner Cecil Wampler commenced this civil action in which he seeks a writ of habeas corpus pursuant to 28 U.S.C. §2241. ECF Nos. 1, 4. Petitioner contends that his conviction and sentence for possession of a firearm by a felon should be vacated based on the decision rendered in *Range v. Attorney General*, 69 F.4<sup>th</sup> 96 (3d Cir. 2023), and *United States v. Quailes*, 688 F. Supp. 3d 184 (M.D. Pa. 2023). The Respondent, Warden Bartlett, filed a response to the petition on July 17, 2024. ECF No. 14. The matter has been referred to Chief United States Magistrate Judge Richard A. Lanzillo for a report and recommendation (“R&R”) in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Civil Rule 72(b).

On March 11, 2025, Judge Lanzillo issued an R&R recommending that the instant petition be transferred to the United States District Court for the Middle District of Georgia, pursuant to 28 U.S.C. §1404. ECF No. [15]. Judge Lanzillo reasoned that the instant petition, which challenges the validity of Petitioner’s conviction and sentence, is not suitable for relief under 28 U.S.C. §2241 but may possibly be suitable for relief under 28 U.S.C. §2255. Judge Lanzillo concluded that this Court lacks jurisdiction to decide Petitioner’s claims, and the

sentencing court is best positioned to evaluate those claims, given its familiarity with the events underlying Petitioner's conviction and sentence.

Objections to the Report and Recommendation were due to be filed no later than March 28, 2025. To date, no objections have been received.

After *de novo* review of the petition and documents in the case, along with the Chief Magistrate Judge's Report and Recommendation, the following order is entered:

AND NOW, this 14<sup>th</sup> day of April, 2025,

IT IS ORDERED that, pursuant to 28 U.S.C. §1404, the within petition for a writ of habeas corpus shall be transferred, forthwith, to the United States District Court for the Middle District of Georgia for further consideration and disposition.

IT IS FURTHER ORDERED that the Report and Recommendation of Chief Magistrate Judge Lanzillo, issued on March 11, 2025, ECF No. [15], is adopted as the opinion of this Court.

As there are no further matters pending before the Court relative to the instant petition, the Clerk is directed to mark this case "CLOSED."



SUSAN PARADISE BAXTER  
United States District Judge